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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,694	06/25/2003	Matthew Andrew Lekson	02-451-A	5347
7590	07/11/2005		EXAMINER TON, ANABEL	
Thomas E. Wettermann McDonnell Boehnen Hulbert & Berghoff 32nd Floor 300 S. Wacker Drive Chicago, IL 60606			ART UNIT 2875	PAPER NUMBER

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/606,694	Applicant(s) LEKSON ET AL.	
	Examiner Anabel M. Ton	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,6-20,22-32,34 and 35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 32,34 and 35 is/are allowed.
- 6) ☒ Claim(s) 1,6,20 and 31 is/are rejected.
- 7) ☒ Claim(s) 4,7-19,22-30,21,34,35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1,6,20,31 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claim 16 is objected to because of the following informalities: Applicant recites, "The reflector includes optical elements". This limitation is not found in the specification. The specification recites the projector including optical elements as those listed in claim 16. Appropriate correction is required.
3. As best understood the following rejection applies.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 20 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Pederson (6,700,502).

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6. Pederson discloses a modular vehicle light device comprising: a plurality of light modules stackably arranged in a configuration (fig 32), the light modules having: a housing (324); a reflector coupled to the housing (484), the reflector having a light emitting surface (492), and at least one light emitting semiconductor device positioned within the housing (306), the at least one light emitting semiconductor device arranged to emit light rays off the light emitting surface of the reflector wherein the modular vehicle light device is a light device selected from the group consisting of as a tail lamp a stop lamp, a license plate lamps a headlamp, a fog lamp, an exterior courtesy lamps and a turn signal lamp (col. 7 lines 20-25); Pederson discloses a plurality of modular vehicle light devices (308); Pederson discloses a plurality of modular vehicle light devices being stackably arranged in a desired configuration(200, LED"s are arranged on a top and bottom surface stacked upon each other) wherein each modular vehicle light device performs as a component of the automotive headlight so as to provide a lighting arrangement that supplies an ample amount of light, thereby providing a light output that meets regulations and standards set forth for exterior automotive lighting (col. 20, lines 4-30). With regards to the light output meeting regulations and standards set forth for exterior automotive lighting, inherently the device of Pederson would meet such standards and regulations since a standard halogen headlamp is being replaced Pederson's LED modular lamp (cols. 22-23 lines 60-67, 1-19)

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1,6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pederson (6,700,502).

Pederson discloses a stackable vehicle light device comprising: a stackable housing (324,fig 31), housing components are stackable upon one another to form the housing); a reflector coupled to the stackable housing (484,492), the reflector having a light emitting surface (492); and at least one light emitting semiconductor device positioned within the stackable housing (306), the at least one light emitting semiconductor device arranged to emit light rays off the light emitting surface of the reflector(inherent, since the reflector reflects stray light from the light source in a forward direction), wherein the at least one light emitting semiconductor device is a light emitting : diode (LED); and at least one connector interconnected with the stackable housing the at least one connector adapted to interconnect the stackable housing with at least one other stackable housing of another stackable vehicle light device. With regards to at least one connector interconnected with the stackable housing the at least one connector adapted to interconnect the stackable housing with at least one other stackable housing, Pederson discloses and adhesive in back of housing portion to facilitate attachment to various locations on the vehicle. It would have been obvious to

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one of ordinary skill in the art at the time the invention was made to use the adhesive on the back of the housing portion of the housing of Pederson for the purpose of attaching/connecting a light housing to another light housing on the vehicle since applicant has only recited that the connector is "adapted to" and has not disclosed any structure on how the device is "adapted to" interconnect one housing to another in this claim. Furthermore the applicant is advised that it has been held by the courts that the recitation that an element is "adapted to" perform a function or serve in a given application is not a positive limitation, but only requires the ability to so perform. *In re Hutchinson*, 69 USPQ 138.

- Pederson's adhesive means is an adhesive;
- The reflector has a first and second end and a curved raised portion positioned within the stackable housing (figs 31,32);

Allowable Subject Matter

9. Claims 4,7-19,22-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claims 32,34,35 are allowed.

11. The following is a statement of reasons for the indication of allowable subject matter: The prior art cited does not teach the light emitting semiconductor device mounted to the inner surface of one side of the housing and the second light emitting conductor device mounted to the inner surface of the other side such that the first and

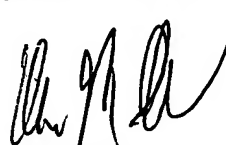
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second light emitting semiconductor devices emit light rays towards each other, a side reflector positioned within a cut out of the reflector such that the at least one light emitting semiconductor device emits light rays off the side reflector, a third light emitting diode is mounted to the inner surface of the bottom of the stackable housing, a projector, the method in claims 32-35.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M. Ton whose telephone number is (571) 272-2382. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Anabel M Ton
Examiner
Art Unit 2875

AMT